



House of Representatives

General Assembly

File No. 182

February Session, 2002

Substitute House Bill No. 5430

House of Representatives, March 26, 2002

The Committee on Energy and Technology reported through REP. GIANNAROS of the 21st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING TELECOMMUNICATIONS CUSTOMERS' RIGHTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16-256j of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 All bills for telecommunications services, whether issued by a
4 telecommunications company or by a billing service, shall (1) contain
5 the name of each carrier providing service as well as a toll-free number
6 for customer complaints for each such carrier printed clearly and
7 conspicuously on the portion of the bill relating to each carrier; (2)
8 clearly and conspicuously identify on the bill those charges for which
9 nonpayment will not result in disconnection of basic, local service; and
10 (3) only label a charge as a tax if such tax is directly assessed by the
11 taxing entity on the customer through the telecommunications
12 company, which tax shall appear as a separate charge on such bill.

13 Sec. 2. (NEW) (*Effective October 1, 2002*) Each telephone company, as
14 defined in section 16-1 of the general statutes, as amended, and each
15 certified telecommunications provider, as defined in said section 16-1,
16 shall clearly and conspicuously disclose, in writing, to customers, upon
17 subscription and annually thereafter, (1) whether the removal or
18 change in any telecommunications service will result in the loss of a
19 discount or other change in the rate charged for any
20 telecommunications service subscribed to or used by the customer; and
21 (2) for any promotional offering filed on and after October 1, 2002,
22 with the Department of Public Utility Control pursuant to subsection
23 (e) of section 16-247f of the general statutes, as amended, that the
24 offering is a promotion and will be in effect for a limited period of
25 time.

26 Sec. 3. (*Effective from passage*) The Department of Public Utility
27 Control shall conduct a contested case proceeding pursuant to chapter
28 54 of the general statutes to investigate whether and under what
29 circumstances each telephone company, as defined in section 16-1 of
30 the general statutes, as amended, and each certified
31 telecommunications provider, as defined in said section 16-1, shall be
32 required to provide advance notice to its customers of any change in
33 the services purchased or subscribed to by a customer that results in an
34 increase in such customer's overall monthly bill.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>from passage</i>

ET *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

A fiscal impact will not result from the passage of this bill since the responsibilities specified in the bill pertain to private telecommunications companies and telephone companies.

OLR Bill Analysis*sHB 5430****AN ACT CONCERNING TELECOMMUNICATIONS CUSTOMERS' RIGHTS*****SUMMARY:**

This bill requires that all telecommunications service bills (1) clearly and conspicuously identify the charges for which a customer's basic, local service will not be disconnected if he fails to pay the charge; (2) label a charge as a tax only if it is directly assessed by the taxing entity on the customer through the telecommunications company; and (3) separately list such taxes on the bill.

The bill requires telephone and telecommunications companies to clearly and conspicuously disclose in writing to customers whether the removal or change in any telecommunications service will result in the loss of a discount or other rate change in the rate charged for any telecommunications service the customer has subscribed to or used. It requires that they disclose, for any promotional offering filed on and after October 1, 2002 with the Department of Public Utility Control (DPUC), that the offering is a promotion and will be in effect for a limited time. The telephone company (e.g., Southern New England Telephone) or telecommunications company (e.g., Sprint, MCI, or AT&T) must provide this disclosure when the customer subscribes to the service and annually thereafter.

The bill requires DPUC to conduct a contested case on whether these companies should be required to provide advance notice to their customers of any change in the services they purchase or subscribe to that increases the customer's overall monthly bill. By law, the Office of Consumer Counsel is entitled to participate as a party in all DPUC contested cases.

EFFECTIVE DATE: Upon passage for the contested case, October 1, 2002 for the other provisions.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 15 Nay 0